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EXAMINER

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ART UNIT	PAPER NUMBER
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3626

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Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
09/510,607

Applicant(s)  
Kennedy

Examiner  
Alexander Kalinowski

Art Unit  
3626



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Oct 17, 2002
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 11-42 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11-42 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 6) ☐ Other:

## Recent Statutory Changes to 35 U.S.C. § 102(e)

On November 2, 2002, President Bush signed the 21st Century Department of Justice Appropriations Authorization Act (H.R. 2215) (Pub. L. 107-273, 116 Stat. 1758 (2002)), which further amended 35 U.S.C. § 102(e), as revised by the American Inventors Protection Act of 1999 (AIPA) (Pub. L. 106-113, 113 Stat. 1501 (1999)). The revised provisions in 35 U.S.C. § 102(e) are completely retroactive and effective immediately for all applications being examined or patents being reexamined. Until all of the Office's automated systems are updated to reflect the revised statute, citation to the revised statute in Office actions is provided by this attachment. This attachment also substitutes for any citation of the text of 35 U.S.C. § 102(e), if made, in the attached Office action.

The following is a quotation of the appropriate paragraph of 35 U.S.C. § 102 in view of the AIPA and H.R. 2215 that forms the basis for the rejections under this section made in the attached Office action:

**A person shall be entitled to a patent unless –**

**(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.**

35 U.S.C. § 102(e), as revised by the AIPA and H.R. 2215, applies to all qualifying references, except when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. For such patents, the prior art date is determined under 35 U.S.C. § 102(e) as it existed prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. § 102(e)).

The following is a quotation of the appropriate paragraph of 35 U.S.C. § 102 prior to the amendment by the AIPA that forms the basis for the rejections under this section made in the attached Office action:

**A person shall be entitled to a patent unless –**

**(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.**

For more information on revised 35 U.S.C. § 102(e) visit the USPTO website at [www.uspto.gov](http://www.uspto.gov) or call the Office of Patent Legal Administration at (703) 305-1622.

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### **DETAILED ACTION**

1. Claims 11-42 are presented for examination. Applicant filed an amendment on 8/20/2001 amending the specification and amending claims 14 and 30. Applicant filed a request for continued examination on 1/23/2002. Applicant further filed an amendment on 1/23/2002, amending claims 11-19, 21-35, and 37-42. Applicant further filed a request for reconsideration on 10/30/2002. After careful review of Applicant's arguments, the Examiner withdraws the grounds of rejection of claims 11-42 based on 35 USC 103. However, new grounds of rejection of claims 11-42 are established in the instant office action as set forth in detail below.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 11-42 have been considered but are moot in view of the new ground(s) of rejection.
3. The Examiner acknowledges Applicant's response to the request for information under 37 CFR 1.105.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 11-16, 18, 27-32, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over James et al., EP 425,405 A2 (hereinafter James) in view of Lee et al., Pat. No. 5,712,985 (hereinafter Lee) and Rhodes, Dusty, "The keys to the enterprise: integrated applications drive information systems to new horizons - enterprise wide integration"(hereinafter Rhodes).

As to claim 11, James discloses a system for managing data associated with available-to-promise (ATP) products (processes that take place in a typical manufacturing environment from the time the orders are received and the logic to arrive at the capability to promise and confirm planned shipping dates based on capacity constraints and product availability)(page 5, col. 2, lines 32-49), comprising:

planned supply of the product (i.e. planned orders to cover net requirements)(page 4, col. 1, lines 16-22 and page 7, col. 1, lines 47-51);

customer orders for the product through the seller (i.e. customer order servicing)(page 5, col. 2, lines 32-43); and

James does not explicitly disclose two seller models that each represent a seller for one or more products each product being associated with a product forecast model; and

forecasted sales of the product through the seller.

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However, Lee discloses each product being associated with a product forecast model (i.e. model covers each of a plurality of products)(col. 2, lines 1-9 and col. 5, lines 46-63); and forecasted sales of the product through the seller (i.e. forecast profile)(col. 3, lines 41-53). Finally, Lee discloses at least two seller models that each represent a seller for one or more products (i.e. the model should cover each of a plurality of products or business items to determine future business demand for a specific location)(col. 2, lines 1-9). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include the teachings of Lee within the James system in order to provide products in timely response to customer demands (col. 1, lines 37-43).

James does not explicitly disclose

preallocated supply of the product to the seller and

the system operable to compute the amount of the product that is ATP at the seller according to the planned supply, the customer orders, the preallocated supply and the amount of the product that is ATP at one or more other sellers.

However, Rhodes discloses preallocated supply of the product to the seller (i.e. plan sales expectations)(pages 1 and 2) and the system operable to compute the amount of the product that is ATP at the seller according to the planned supply, the customer orders, the preallocated supply and the amount of the product that is ATP at one or more other sellers (i.e. linking sales and marketing strategies to material and resource scheduling ...)(page 3). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include preallocated

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supply of the product to the seller and the system operable to compute the amount of the product that is ATP at the seller according to the planned supply, the customer orders, the preallocated supply and the amount of the product that is ATP at one or more other sellers as disclosed by Rhodes within the James and Lee combination for the motivation of allowing access to relevant data, facilitating fast decision making and providing material and resource management information to sales and marketing teams (page 1).

As to claim 12, James does not explicitly disclose the system of Claim 11, further operable to adjust the preallocated supply according to one or more business criteria selected from the group consisting of seller criteria, product criteria, forecast criteria, supply criteria, customer order criteria, and policy criteria.

However, Rhodes discloses the system of Claim 11, further operable to adjust the preallocated supply according to one or more business criteria selected from the group consisting of seller criteria, product criteria, forecast criteria, supply criteria, customer order criteria, and policy criteria (i.e. forecasting and DRP)(page 3). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include the system of Claim 11, further operable to adjust the preallocated supply according to one or more business criteria selected from the group consisting of seller criteria, product criteria, forecast criteria, supply criteria, customer order criteria, and policy criteria as disclosed by Rhodes within the James and Lee combination for the motivation of allowing access to relevant data, facilitating fast decision

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making and providing material and resource management information to sales and marketing teams (page 1).

As to claim 13, James, and Lee do not explicitly disclose the system of Claim 11, further operable to:

communicate forecast models to a remote system;

receive from the remote system a promise computed at the remote system for a customer order requesting a quantity of a product through the seller, the promise being computed according to the allocated supply;

receive from the remote system adjusted forecast models reflecting the promise; and  
recompute the amount of the product that is ATP at the seller.

However, James discloses receiving a promise for a customer order requesting a quantity of a product through the seller, the promise being computed according to the allocated supply (see abstract, page 5, col. 1, lines 33-59 and page 6, col. 1, lines 18-30). James further discloses receiving a promise for a customer order requesting a quantity of a product through the seller, the promise being computed according to the allocated supply recomputing the amount of the product that is ATP at the seller (page 3, col. 2, line 48 - page 4, col. 1, line 1). In addition, Lee discloses receiving adjusted forecast models reflecting the promise (i.e. variation between actual demand and the forecasted demand is used to update base and influence profiles and the forecasted demand is redetermined)(see abstract and col. 15 and col. 21, line 18 - col. 22, line 12).



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It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include receiving adjusted forecast models reflecting the promise as disclosed by Lee within the James system in order to provide products in timely response to customer demands (col. 1, lines 37-43). Although James and Lee do not explicitly disclose remotely located systems, Rhodes discloses enterprise wide integration of sales, marketing, material and resource systems (i.e. SOP)(see abstract). Rhodes further discloses that forecast information is communicated to a remote system (i.e. forecasting is used to drive the master production schedule) (page 3, lines 11-25). The remote system transmits a promise reflecting a customer order requesting a quantity of a product through the seller, the promise being computed according to the allocated supply (i.e. MPS linked with order management such that when a customer places an order... to determine what's currently in production to give viable available to promise dates)(page 3, lines 12-25). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include performing the steps of claim 13 in remotely located systems within the James and Lee combination for the motivation of achieving business goals such as improved customer service, increased productivity and greater profitability (page 1, lines 43-45 and page 2, lines 14-25).

James and Lee do not explicitly disclose

computing a promise for the customer order, the promise being computed according to the preallocated supply of the product.

However, Rhodes discloses computing a promise for the customer order, the promise being computed according to the preallocated supply of the product (page 3). It would have been

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obvious to one of ordinary skill in the art at the time of Applicant's invention to include computing a promise for the customer order, the promise being computed according to the preallocated supply of the product as disclosed by Rhodes within the James and Lee combination for the motivation of allowing access to relevant data, facilitating fast decision making and providing material and resource management information to sales and marketing teams (page 1).

As to claim 14, James does not explicitly disclose the system of Claim 13, wherein:  
all forecast models for one or more sellers are communicated to the remote system;  
the system receives from the remote system a promise also computed according to the amount of product that is ATP at one or more other sellers; and  
adjust the amount of the product that is ATP at one or more other sellers if the promise exceeds the allocated supply for the seller.

However, James discloses receiving a promise for a customer order computed according to the amount of product that is ATP at one or more other sellers (see abstract, page 5, col. 1, lines 33-59 and page 6, col. 1, lines 18-30). James further discloses adjusting the amount that is ATP at one or more other sellers if the promise exceeds the allocated supply for the seller (page 3, col. 2, line 48 - page 4, col. 1, line 1). In addition, Lee discloses receiving forecast models for one or more sellers (see abstract and col. 6, lines 35-60). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include receiving forecast models for one or more sellers within the James system in order to provide products in timely response to

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customer demands (col. 1, lines 37-43). Although James and Lee do not explicitly disclose remotely located systems, Rhodes discloses enterprise wide integration of sales, marketing, material and resource systems (i.e. SOP)(see abstract). Rhodes further discloses that forecast information is communicated to a remote system (i.e. forecasting is used to drive the master production schedule) (page 3, lines 11-25). The remote system transmits a promise reflecting a customer order requesting a quantity of a product through the seller, the promise being computed according to the allocated supply (i.e. MPS linked with order management such that when a customer places an order... to determine what's currently in production to give viable available to promise dates)(page 3, lines 12-25). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include performing the steps of claim 13 in remotely located systems within the James and Lee combination in order to achieve business goals such as improved customer service, increased productivity and greater profitability (page 1, lines 43-45 and page 2, lines 14-25).

James and Lee do not explicitly disclose

adjusting the amount that is ATP at one or more sellers if the promise exceeds the preallocated supply of the product to the seller.

However, Rhodes discloses adjusting the amount that is ATP at one or more sellers if the promise exceeds the preallocated supply of the product to the seller (page 3). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include adjusting the amount that is ATP at one or more sellers if the promise exceeds the preallocated supply of

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the product to the seller as disclosed by Rhodes within the James and Lee combination for the motivation of allowing access to relevant data, facilitating fast decision making and providing material and resource management information to sales and marketing teams (page 1).

As to claim 15, James does not explicitly disclose the system of Claim 11, wherein the forecast model further represents a quantity of the product the seller has committed to selling, the system operable to adjust the preallocated supply of the product for the seller according to the committed quantity.

However, Rhodes discloses the system of Claim 11, wherein the forecast model further represents a quantity of the product the seller has committed to selling, the system operable to adjust the preallocated supply of the product for the seller according to the committed quantity (i.e. link sales and marketing strategies to material and resource scheduling)(page 3). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include the system of Claim 11, wherein the forecast model further represents a quantity of the product the seller has committed to selling, the system operable to adjust the preallocated supply of the product for the seller according to the committed quantity as disclosed by Rhodes within the James and Lee combination for the motivation of allowing access to relevant data, facilitating fast decision making and providing material and resource management information to sales and marketing teams (page 1).

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As to claim 16, James discloses the system of Claim 11, further operable to:

accept a customer order requesting a quantity of a product through the seller (page 6, col. 1, lines 38-50)

James does not explicitly disclose

compute a promise for the customer order according to the planned supply and one or more existing customer orders, the promise restricted according to the preallocated supply of the product.

However, Rhodes discloses computing a promise for the customer order according to the planned supply and one or more existing customer orders, the promise restricted according to the preallocated supply of the product (page 3). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include computing a promise for the customer order according to the planned supply and one or more existing customer orders, the promise restricted according to the preallocated supply of the product as disclosed by Rhodes within the James and Lee combination for the motivation allowing access to relevant data, facilitating fast decision making and providing material and resource management information to sales and marketing teams (page 1).

As to claim 18, James discloses the system of Claim 11, further operable to adjust either the forecasted sales or the preallocated supply for a product for the seller according to an arrival

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rate of customer orders for the product through the seller (page 5, col. 1, line 33 - col. 2, line 18 and page 6, col. 1, lines 38-50).

As to claim 27, the claim is the corresponding method claim to system claim 11 and is rejected on the same basis as claim 11.

As to claims 28-32, and 34, the claims are similar in scope to claims 12-16, and 18 and are rejected on the same basis.

6. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over James, Lee and Rhodes as applied to claim 11 above, and further in view of Frank O. Smith, "Dun & Bradstreet Software Delivers Sales and Promotion System to Manufacturers" (hereinafter Smith).

As to claim 17, James does not explicitly disclose the system of Claim 11, wherein:

- each forecast model is extensible such that one or more policy rules may be associated with the corresponding product;
- each policy rule comprises a restriction on either the forecasted sales or the preallocated supply of the product for the seller; and
- either the forecasted sales or the preallocated supply of the product is computed according to the policy rules.

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However, Smith discloses each forecast model is extensible such that one or more policy rules may be associated with the corresponding product (i.e. SPS allows manufacturers to create and manage special product promotions based on product categories or items)(page 1, lines 21-30). Smith further discloses each policy rule comprises a restriction on either the forecasted sales or the allocated supply for the seller (i.e. price and discount effectivity dating)(page 2, lines 1-5). Finally, Smith discloses either the forecasted sales or the allocated supply is computed according to the policy rules (i.e. The system takes into account impact of scheduling the requested customer orders with orders already in progress.(page 4, col. 2, lines 35-47, page 5, col. 1, lines 37-40 and page 6, col. 2, lines). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include the features of Smith within the James, Lee and Rhodes combination for the motivation of speed and ease of online management of orders tied to special promotions (page 1, lines 32-34).

7. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over James, Lee, and Rhodes as applied to claim 27 above, and further in view of Smith.

As to claim 33, the claim is similar in scope to claim 17 and is rejected on the same basis.

8. Claims 19-26, 35-37, and 39-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over James in view of Lee, Rhodes and Smith

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As to claim 19, James discloses a system for managing data associated with available-to-promise (ATP) products (i.e. processes that take place in a typical manufacturing environment from the time the orders are received and the logic to arrive at the capability to promise and confirm planned shipping dates based on capacity constraints and product availability)(page 5, col. 2, lines 32-49), comprising:

planned supply of the product (i.e. planned orders to cover net requirements)(page 4, col. 1, lines 16-22 and page 7, col. 1, lines 47-51);

customer orders for the product through the seller (i.e. customer order servicing)(page 5, col. 2, lines 32-43); and

allocated supply of the product to the seller (i.e. The system takes into account impact of scheduling the requested customer orders with orders already in progress. Check if there is unallocated inventory. If the system checks to see if there is unallocated inventory, then some of the inventory is allocated.)(page 4, col. 2, lines 35-47, page 5, col. 1, lines 37-40 and page 6, col. 2, lines 3-16); and

wherein the system is operable to compute the amount of the product that is ATP at the seller according to the planned supply, the customer orders, the allocated supply, and the amount of the product that is ATP at one or more other sellers (i.e. planned production activity performed by CRP system, customer orders, allocated supply)(page 4, col. 2, lines 48-59, page 5, col. 1, line 33 - col. 2, line 18, and page 7, col. 1, lines 47-51).



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James does not explicitly disclose

each product being associated with a product forecast model and  
forecasted sales of the product through the seller.

However, Lee discloses each product being associated with a product forecast model (i.e. model covers each of a plurality of products)(col. 2, lines 1-9 and col. 5, lines 46-63); and forecasted sales of the product through the seller (i.e. forecast profile)(col. 3, lines 41-53). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include each product being associated with a product forecast model and forecasted sales of the product through the seller within the James system in order to provide products in timely response to customer demands (col. 1, lines 37-43).

James and Lee do not explicitly disclose

preallocated supply of the product to the seller, the preallocated supply being a supply for the product that has been preallocated to the seller for promising to subsequent customer orders for the product through the seller and

the system is operable to compute the product that is ATP at a seller according to the planned supply, the customer orders, the preallocated supply and the amount that is ATP at one or more of the sellers.

However, Rhodes discloses preallocated supply of the product to the seller (i.e plan sales expectations)(pages 1 and 2)and the system is operable to compute the amount of the product that is ATP at a seller according to the planned supply, the customer orders, the allocated supply

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and the amount of the product that is ATP at one or more other sellers (page 3). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include preallocated supply of the product to the seller, the preallocated supply being a supply for the product that has been preallocated to the seller for promising to subsequent customer orders for the product through the seller and the system is operable to compute the product that is ATP at a seller according to the planned supply, the customer orders, the preallocated supply and the amount that is ATP at one or more of the sellers as disclosed by Rhodes within the James and Lee combination for the motivation of ease of allowing access to relevant data, facilitating fast decision making and providing material and resource management information to sales and marketing teams (page 1).

James, Lee and Rhodes do not explicitly disclose

at least one seller model representing a seller for products that each correspond to an item having one or more restrictions on its sale, at least two products corresponding to the same item but with at least one different restriction.

However, Smith discloses at least one seller model representing a seller for products that each correspond to an item having one or more restrictions on its sale, at least two products corresponding to the same item but with at least one different restriction (i.e. SPS enables manufacturers to easily track and manage special sales promotions separate and independent of standard company pricing policy. SPS enables manufacturers to create and manage special product promotions based on ... by customer type or specific customer account.)(page 1, lines 21-

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30). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include at least one seller model representing a seller for products that each correspond to an item having one or more restrictions on its sale, at least two products corresponding to the same item but with at least one different restriction within the James, Lee and Rhodes system in order to speed and ease online management of orders tied to special promotions (page 1, lines 32-34).

As to claim 20, James discloses he system of Claim 19, wherein the restrictions are selected from the group consisting of quantity restrictions, and lead time restrictions (i.e. whether customer specified date can be met. Check if requirements can be satisfied by unallocated inventory or unallocated scheduled production.)(page 5, col. 1, line 33 - col. 2, line 18).

James does not explicitly disclose wherein the restrictions are selected from price restrictions.

However, Smith discloses wherein the restrictions are selected from price restrictions (i.e. ,manage special sales promotions separate and independent of standard company pricing policy). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include wherein the restrictions are selected from price restrictions within the James, Lee and Rhodes system in order to speed and ease online management of orders tied to special promotions (page 1, lines 32-34).

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As to claim 21, the claim is similar in scope to claim 12 and is rejected on the same basis.

As to claim 22, the claim is similar in scope to claim 13 and is rejected on the same basis.

As to claim 23, the claim is similar in scope to claim 15 and is rejected on the same basis.

As to claim 24, James and do not explicitly disclose the system of Claim 19, further operable to:

computing a promise for the customer according to the preallocated supply for corresponding products.

However, Rhodes discloses computing a promise for the customer order, the promise being computed according to the preallocated supply of the product (page 2, lines 8-15 and lines 28-33). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include computing a promise for the customer according to the preallocated supply for corresponding products as disclosed by Rhodes within the James and Lee combination for the motivation of allowing access to relevant data, facilitating fast decision making and providing material and resource management information to sales and marketing teams (page 1).

James, Lee and Rhodes do not explicitly disclose

accept a customer order requesting quantities of one or more items through the seller; and compute a promise for the customer order according to the allocated supply for

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corresponding products, wherein the promise comprises a plurality of options each with one or more of the restrictions specified for these products.

However Smith discloses accepting a customer order requesting quantities of one or more items through the seller and computing a promise for the customer order according to the allocated supply for corresponding products, wherein the promise comprises a plurality of options each with one or more of the restrictions specified for these products (i.e. SPS enables manufacturers to easily track and manage special sales promotions separate and independent of standard company pricing policy. System enhancements include on line available to promise by item ...)(page 1, lines 21-30 and page 2, lines 1-5). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include accepting a customer order requesting quantities of one or more items through the seller and computing a promise for the customer order according to the allocated supply for corresponding products, wherein the promise comprises a plurality of options each with one or more of the restrictions specified for these products within the James, Lee and Rhodes system in order to speed and ease online management of orders tied to special promotions (page 1, lines 32-34).

As to claim 25, the claim is similar in scope to claim 17 and is rejected on the same basis.

As to claim 26, the claim is similar in scope to claim 18 and is rejected on the same basis

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As to claim 35, the claim is the corresponding method claim to system claim 19 and is rejected on the same basis as claim 19.

As to claims 36-42, the claims are similar in scope to claims 20-26 and are rejected on the same basis.

***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Kalinowski, whose telephone number is (703) 305-2398. The examiner can normally be reached on Monday to Thursday from 6:30 AM to 4:00 PM. In addition, the examiner can be reached on alternate Fridays.

If any attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Joseph Thomas, can be reached on (703) 305-9588. The fax telephone number for this group is (703) 305-7687 (for official communications including After Final communications labeled "Box AF").

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7th Floor, receptionist.



Alexander Kalinowski

Patent Examiner

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January 13, 2003